

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

JAMES L. WILKINS,)	
)	
Plaintiff,)	8:06CV740
)	
v.)	
)	
UNION PACIFIC RAILROAD)	ORDER
COMPANY, a Delaware)	
corporation,)	
)	
Defendant.)	
_____)	

This matter is before the Court on a conflict between defendant's motion for trial at North Platte, Nebraska (Filing No. 8), plaintiff's request for trial in Omaha, Nebraska (Filing No. 1), and plaintiff's motion to allow oral argument (Filing No. 14).

The Local Rules provide that in cases of conflicting requests for place of trial, "the judge shall give consideration to the convenience of litigants, witnesses and counsel." NELR 40.1(a)(2). The Court has reviewed the file and the index of evidence submitted by defendant's counsel (Filing No. 9), and finds that defendant's request for trial in North Platte, Nebraska, should be granted. Accordingly,

IT IS ORDERED:

1) Defendant's motion for trial at North Platte, Nebraska, is granted; this action shall be tried in North Platte, Nebraska.

2) Plaintiff's motion to allow oral argument is denied.

DATED this 22nd day of January, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court